IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: the 9th day of February, 2005
Bail application no. 936 **of 2004**
Order on the Bail Application of accused

CRIMINAL SIDE

Babu Roy S/o Nirmal Roy
R/o Village Arvind Nagar-2
P.S. Sitar Ganj
District Udham Singh Nagar ……Applicant

Versus

State of Uttaranchal ….Opposite Party

Arising out of case crime No. 331 of 2004
Under Section 498-A/304-B I.P.C. and
3/4 Dowry Prohibition Act
P.S. Sitarganj
District Udham Singh Nagar

By the court

Hon'ble B.C. Kandpal, J.

The applicant applied for bail in case crime No. 331 of 2004 under Section 498-A/304-B and ¾ Dowry Prohibition Act P.S. Sitarganj District Udham Singh Nagar.

Heard Sri R.S. Sammal learned counsel for the applicant, learned A.G.A. and perused the record.

First Information Report which has been lodged by the Judan Mandal - father of the deceased Dropdhi Rai, does not disclose anywhere that the deceased Dropdhi Rai died under the suspicious circumstances on account of dowry demand.

Another report which has been lodged by the complainant Judan Mandal reveals that the allegations pertaining to the demand of dowry have been leveled against, therein.

Keeping in view the two contradictory reports and without expressing any opinion about the merit of the case, I think it would be just and proper to release the applicant at this stage.

Let the applicant Babu Roy be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B.C. Kandpal, J.)

09.02.2005
ASWAL